

**To: The Honorable Lizabeth Benacquisto
Chair, Florida Senate Committee on Rules**

**CC: Jeremiah Hawkes, General Counsel
The Florida Senate**

**RE: Sworn Complaint Alleging Violation of Senate Rules
Relating to the Conduct and Ethics of Lobbyists**

The undersigned, Perry Thurston, being doing sworn, files this complaint alleging violation of the Rules of the Florida Senate relating to the conduct and ethics of Marion Hammer, pursuant to Senate Rule 9.6:

1. For a number of years, including the time period from 2014 until the current date, Marion Hammer has registered as a lobbyist for the National Rifle Association and the Unified Sportsman of Florida.

2. It is the belief of the undersigned, based on review of IRS Form 990 filings of the Unified Sportsman of Florida, that Marion Hammer is an employee of Unified Sportsman of Florida.

3. It is the belief of the undersigned, based on review of IRS Form 990 filings of the National Rifle Association, that Marion Hammer is not an employee of National Rifle Association. Rather, IRS Form 990 filings for 2014 through 2016 state that Marion Hammer is a "Director" of the National Rifle Association.

4. IRS Form 990 filings for 2014 through 2016 reveal that:

a. In 2014, Marion Hammer received \$147,000 in compensation from the National Rifle Association.

b. In 2015, Marion Hammer received \$172,000 in compensation from the National Rifle Association.

c. In 2016, Marion Hammer received \$206,000 in compensation from the National Rifle Association.

Copies of IRS Form 990 filings of the National Rifle Association for 2014 through 2016 are attached to this complaint as Exhibit 1.

5. Based on a review of the Reports of the Secretary to the Annual Meeting of Members of the National Rifle Association, it was revealed that:

a. In 2017, Marion Hammer, the Executive Director of Unified Sportsmen of Florida, “received \$134,000 for legislative lobbying in Florida.”

b. In 2018, Marion Hammer, the Executive Director of Unified Sportsmen of Florida, “received \$270,000 for consulting services and legislative lobbying in Florida.”

Copies of the Reports of the Secretary to the Annual Meeting of Members of the National Rifle Association dated May 5, 2018 and April 27, 2019 are attached hereto as Exhibit 2.

6. For a number of years, including the time period from 2014 until the current date, Marion Hammer has influenced or attempted to influence legislative action¹ or nonaction through oral or written communication or through an attempt to obtain the goodwill of members or employees of the Florida Legislature. Her efforts to influence or attempt to influence legislative action or nonaction include the following:

¹ “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter that may be the subject of action by, either house of the Legislature or any committee thereof.

- a. Communicating by email in March of 2015 with Michael Nachev, Legislative Assistant to Senator Garrett Richter, concerning an amendment to SB 1444. See Exhibit 3.
 - b. Appearing before the House Justice Appropriations Subcommittee on November 18, 2015 in support of HB 163 by Representative Gaetz relating to weapons and firearms.
 - c. Appearing before the Senate Judiciary Committee on January 24, 2017 in support of SB 128 by Senator Bradley relating to amendments to Florida's "Stand Your Ground" law.
 - d. Appearing before the House Criminal Justice Committee on February 22, 2017 in support of HB 245 by Representative Payne relating to amendments to Florida's "Stand Your Ground" law.
 - e. Appearing before the Senate Judiciary Committee on November 6, 2017 in support of SB 152 by Senator Steube relating to the sale of firearms.
 - f. Appearing before the House Appropriations Committee on February 26, 2018 concerning PCB APC 18-06 relating to public safety.
 - g. Appearing before the Senate Rules Committee on February 26, 2018 concerning SB 7026 by the Senate Rules Committee relating to public safety.
 - h. Appearing before the House Criminal Justice Subcommittee on March 12, 2019 in support of HB 403 by Representative Grail relating to safety in religious institutions and HB 6005 by Representative Byrd relating to possession of firearms on school property.
6. During the period of time that Marion Hammer has been registered as a lobbyist for the for the National Rifle Association and the Unified Sportsman of Florida, including the time period from 2014 until the current

date, Marion Hammer has not filed a Compensation Report for any calendar quarter during which she was registered to represent the National Rifle Association.

7. Because Marion Hammer was not and is not an in-house, salaried lobbyist for the National Rifle Association, she is a lobbying firm as defined in Section 11.045(1)(f), Florida Statutes,² Joint Rule 1.1(1)(d),³ and Senate Rule 9.8 and Appendix A,⁴ and she had an obligation to submit a Compensation Report for each calendar quarter during which she was registered as a lobbyist for the National Rifle Association and received or was owed compensation to represent the National Rifle Association.

8. Marion Hammer's failure to submit a Compensation Report for each calendar quarter during which she was registered and received or was owed compensation to represent the National Rifle Association is a violation of Section 11.045(3), Florida Statutes, Joint Rule 1.4, and Senate Rule 9.8 and Appendix A.

² "Lobbying firm" means any business entity, including an individual contract lobbyist, which receives or becomes entitled to receive any compensation for the purpose of lobbying, where any partner, owner, officer, or employee of the business entity is a lobbyist.

³ "Lobbying firm" means any business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying and where any partner, owner, officer, or employee of the business entity is a lobbyist. "Lobbying firm" does not include an entity that has employees who are lobbyists if the entity does not derive compensation from principals for lobbying or if such compensation is received exclusively from a subsidiary or affiliate corporation of the employer. As used in this paragraph, an affiliate corporation is a corporation that directly or indirectly shares the same ultimate parent corporation as the employer and does not receive compensation for lobbying from any unaffiliated entity.

⁴ A "lobbying firm" is any business entity with a lobbyist, or an individual contract lobbyist, who gets paid to lobby for a principal. It is the lobbying firm that must report, not the individual lobbyists in the firm (except in the case of an individual contract lobbyist, where the lobbyist also comprises the entire lobbying firm).

Accordingly, the undersigned requests that the Senate Rules Committee undertake an investigation pursuant to Senate Rule 9.6 of Marion Hammer's failure to comply with the requirements of Section 11.045(3), Florida Statutes, Joint Rule 1.4, and Senate Rule 9.8 and Appendix A.

I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Signature of Complainant

Sworn to (or affirmed) and subscribed before
me this 22nd day of May 2019

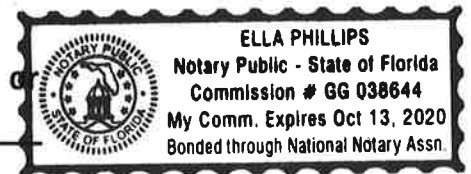


Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name
of Notary Public

Personally Known ☒

Produced Identification ☐



Type of Identification Produced:



Florida Commission on Ethics

P. O. Drawer 15709, Tallahassee, Florida 32317-5709

"A Public Office is a Public Trust"

COMPLAINT

1. PERSON BRINGING COMPLAINT:

Name: Perry Thurston Telephone Number: 954-224-9575

Address: 721 NW 35th Terrace

City: Lauderhill County: Broward State: FL Zip Code: 33311

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

Use a separate complaint form for each person you wish to complain against:

Name: Marion P. Hammer Telephone Number: 850-229518

Address: 110-A South Monroe Street

City: Tallahassee County: Leon Zip Code: 32301

Title of office or position held or sought: Lobbyist / National Rifle Association

3. STATEMENT OF FACTS:

Please provide a full explanation of your complaint, describing the facts and the actions of the person named above and why you believe he or she violated the law. Include relevant dates and the names and addresses of persons whom you believe may be witnesses. Please do not submit more than 15 pages, including this form. Please do not submit video or audio tapes, CDs, DVDs, flash drives or other electronic media; such material will not be considered part of the complaint and will be returned.

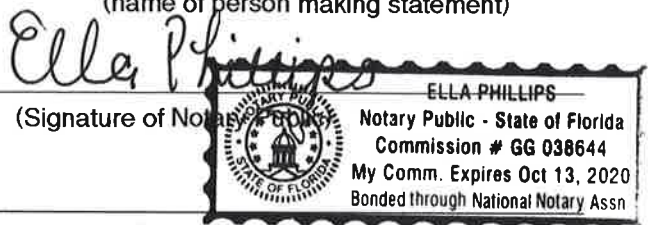
4. OATH

I, the person bringing this complaint, do swear or affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.


SIGNATURE OF COMPLAINANT

STATE OF Florida
COUNTY OF Broward

Sworn to (or affirmed) and subscribed before me this
22nd day of May,
20 19, by Perry Thurston
(name of person making statement)


(Signature of Notary Public)
ELLA PHILLIPS
Notary Public - State of Florida
Commission # GG 038644
My Comm. Expires Oct 13, 2020
Bonded through National Notary Assn

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: _____